

Appendix E

Comment Letters and Responses to Comments



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

July 20, 2015

Rick Angelocci
City of Loomis
3665 Taylor Road
Loomis, CA 95650

Subject: South Placer Municipal Utility District Diversion Pipeline Project
SCH#: 2015062050

Dear Rick Angelocci:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on July 17, 2015, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

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JUL 23 2015

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

TOWN OF LOOMIS

Document Details Report State Clearinghouse Data Base

SCH# 2015062050
Project Title South Placer Municipal Utility District Diversion Pipeline Project
Lead Agency Loomis, City of

Type MND Mitigated Negative Declaration
Description The Town of Loomis and SPMUD are proposing to construct, operate and maintain a diversion pipeline to address existing and forecasted pipeline capacity deficiencies. The Project will be located on privately owned property and public easement located near I-80, Horseshoe Bar Road, Betty Lane, Brace Road, and Dias Lane. The Project will include the installation of 7,233 linear feet of 15- to 24-inch sanitary sewer pipeline installed using open cut trenching and bore and jack trenchless methods.

Lead Agency Contact

Name Rick Angelocci
Agency City of Loomis
Phone 916 652 1840 **Fax**
email
Address 3665 Taylor Road
City Loomis **State** CA **Zip** 95650

Project Location

County Placer
City Loomis, Rocklin
Region
Lat / Long 38° 49' 7" N / 121° 11' 17" W
Cross Streets Near I-80 between Horseshoe Bar Road through Dias Lane
Parcel No. 043-100-038, 043-080-045, and 13+
Township **Range** **Section** **Base**

Proximity to:

Highways I-80
Airports
Railways UPRR
Waterways Secret Ravine Creek
Schools Loomis, Del Oro, Rocklin
Land Use Undeveloped land and roadway ROW/CG, CT, RE, RR, UN, R1/Commercial and Residential

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Geologic/Seismic; Sewer Capacity; Soil Erosion/Compaction/Grading; Vegetation; Water Quality; Wetland/Riparian; Landuse

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 2; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 3 N; Air Resources Board; Regional Water Quality Control Bd., Region 5 (Sacramento); Native American Heritage Commission; Public Utilities Commission

Date Received 06/17/2015 **Start of Review** 06/18/2015 **End of Review** 07/17/2015

Note: Blanks in data fields result from insufficient information provided by lead agency.

Letter 1 – Trevor Cleak, Central Valley Regional Water Quality Control Board, July 13, 2015



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TOWN OF LOOMIS



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GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

13 July 2015

Rick Angelocci
Town of Loomis
3665 Taylor Road
Loomis, CA 95650

CERTIFIED MAIL
7014 2870 0000 7535 4319

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, SOUTH PLACER MUNICIPAL UTILITY DISTRICT DIVERSION PIPELINE PROJECT, SCH# 2015062050, PLACER COUNTY

Pursuant to the State Clearinghouse's 18 June 2015 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the South Placer Municipal Utility District Diversion Pipeline Project, located in Placer County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

KARL E. LONGLEY SCD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley



South Placer Municipal Utility
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Placer County

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Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 97-03-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

South Placer Municipal Utility
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Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements

If USACOE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project will require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program.

There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board’s website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory

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Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

If you have questions regarding these comments, please contact me at (916) 464-4684 or tcleak@waterboards.ca.gov.



Trevor Cleak
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

Response to Comment Letter 1

Thank you for your comments on the IS/MND. The Project is an extension of the sanitary sewer system and would not result in agricultural irrigation, storm drains, or discharges outside of construction. The SPMUD will obtain required permits from the Central Valley Regional Water Quality Control Board once the final design of the alignment occurs. The IS/MND lists approvals and permits SPMUD may need to obtain in Section 1.10 Other Public Agencies Whose Approval Is Required (NPDES), Section 2.6 Regulatory Compliance Measures (SWPPP), and Section 2.7.2 Required Permits and Approvals, as well as in the analysis text and Mitigation Measure BIO-5 (404/401 permits). Thank you for your comments and SPMUD will continue work with the CVRWQCB through this planning, design, and construction process.

Letter 2 – Susan Zanchi, Caltrans, July 16, 2015

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 3
703 B STREET
MARYSVILLE, CA 95901
PHONE (530) 741-4199
FAX (530) 741-5346
TTY 711



*Flex your power!
Be energy efficient!*

July 16, 2015

FMP # 032015PLA0127
03-PLA-80/PM 9.013
SCH# 2015062050

Mr. Rick Angelocci
Town of Loomis
3665 Taylor Road
Loomis, CA 95650

South Placer Municipal Utility District Diversion Pipeline Project

Dear Mr. Rick Angelocci:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the South Placer Municipal Utility District (SPMUD) Diversion Pipeline Project. The Town of Loomis and SPMUD are proposing to construct, operate and maintain a diversion pipeline to address existing and forecasted pipeline capacity deficiencies. The project will be located on private property and public easements located near I-80, Horseshoe Bar Road, Betty Lane, Brace Road and Dias Lane. The project is located within the Town of Loomis and the City of Rocklin. These comments are based on the Initial Study and Mitigated Negative Declaration.

Traffic Operations

An Encroachment Permit will be required for any work conducted in the State's right of way. A cost estimate for the work within the State's right of way will be reviewed to determine whether it triggers the need for a 'project funded by others' designation.

Hydraulics

The location of the proposed jack and bore pipe is in very close proximity to an existing 66" corrugated metal pipe arch (CMPA) drainage cross culvert located at Pla-80 PM 8.92. The 66" CMPA storm drain pipeline is located approximately 1050 ft east of the centerline of the Horseshoe Bar Over Crossing.

Please insure that the location and installation of the proposed new sewer pipeline does not damage the existing storm drain pipeline or interfere with existing drainage patterns in the vicinity of the existing 66" CMPA pipeline.

Encroachment Permit

Please be advised that any work or traffic control that would encroach onto the State right of way (ROW) requires an encroachment permit issued by Caltrans. All required Encroachment Permit policies with regards to depth, method of installation, encasement will need to be followed. Caltrans

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

Mr. Rick Angelocci/Town of Loomis
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is currently finishing up the Raise Interstate 80 projects and may need to coordinate activities depending on when this job begins. To apply, a completed encroachment permit application, environmental documentation, and five sets of plans indicating State ROW must be submitted to the address below:

Office of Permits
Caltrans - District 3
703 B Street
Marysville, CA 95901

Traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process. Please visit the following URL for more information:
<http://www.dot.ca.gov/hq/traffops/developserv/permits/>.

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

If you have any questions regarding these comments or require additional information, please contact Kevin Yount, Intergovernmental Review Coordinator for Placer County at (530) 741-4286 or by email at kevin.yount@dot.ca.gov.

Sincerely,



SUSAN ZANCHI, Chief
Office of Transportation Planning – North

c: Scott Morgan, State Clearinghouse

Response to Comment Letter 2

Thank you for your review of the document and associated comments.

1. As stated in IS/MND Section 1.10 Other Public Agencies Whose Approval Is Required, Section 2.6.5 Utility Coordination, and 2.7.2 Required Permits and Approvals, SPMUD will need to coordinate with Caltrans regarding the I-80 crossing and may require an encroachment permit. During the final design process, SPMUD will consult with Caltrans regarding encroachment permit requirements and cost estimates.
2. Thank you for providing data on the location of the existing 66" CMPA storm drain. Final design will include the location of the storm drain and specific construction measures will be included to address avoidance. SPMUD will consult with Caltrans regarding the alignment in the vicinity of I-80 and the Horseshoe Bar Over Crossing. Text has been added to IS/MND 2.6.5 to clarify that the culvert is an existing feature that will require utility coordination with Caltrans.
3. IS/MND Section 2.6.5 states in the text that a Caltrans encroachment permit is needed and that Caltrans consultation and review will occur regarding the I-80 crossing and construction within Caltrans ROW. When SPMUD has refined the alignment location, they will apply for an encroachment permit with Caltrans to address construction or traffic control that would encroach into the State ROW. The final designs will identify the exact location and extent of encroachment, traffic control plans and detail, anticipated timing, and other required data.

Thank you for your comments and SPMUD will continue work with Caltrans through this planning, design, and construction process.

Letter 3 – Timothy Denham, Wood-Rogers Inc., July 15, 2015



July 15, 2015

Mr. Rick Angelocci, Town Manager
Town of Loomis
3665 Taylor Road
Loomis, CA 95650

**RE: SPMUD Sewer Diversion Pipeline Project
Comments on Mitigated Negative Declaration**

Dear Mr. Angelocci,

On behalf of Tulip Asset, LLC and the Turtle Island property, the following are comments regarding the Town of Loomis SPMUD Diversion Pipeline Project Initial Study/Mitigated Negative Declaration (MND) dated June 18, 2015. Turtle Island is a 63± acre property located southeast of Interstate 80 (I-80) on both sides of Horseshoe Bar Road. The Turtle Island site is designated in the Town of Loomis (Town) General Plan for urban uses and several urban land use concepts have been explored for the property and discussed with Town staff and decision-makers.

In general we are supportive of the Sewer Diversion Pipeline (Pipeline) because it will provide sewer capacity for a number of properties in the Town, including the Turtle Island property.

Preferred Project (Alternative 1) of the MND

As proposed, Segment 2A of the Preferred Project/Alignment 1 extends through the Turtle Bay property in a southwest direction from Horseshoe Bar Road to Betty Lane, and does not reflect a likely roadway scenario for the Turtle Island property. If the Pipeline is constructed as proposed in the Preferred Project/Alternative 1, future development on Turtle Island will be required to remove and relocate significant segments of the Pipeline, incurring significant costs in addition to future sewer connection fees. Segments 1A and 1B also encroach into future development area on the east side of Horseshoe Bar Road.

Alternative Alignment for Consideration

We request that the MND consider an alternative Pipeline alignment, shown as Alternative X on Exhibit A, which would be compatible with anticipated development of the Turtle Island property.

The circulation plan for any type of development on the Turtle Island site will feature a major roadway extending from Horseshoe Bar Road directly opposite the on-/off-ramp on the south side of I-80 and extending through the site parallel to and approximately 275 feet from I-80, as shown in Exhibit A. This will provide a reasonable parcel depth to allow commercial development between the roadway and I-80. Proposed Alternative X is consistent with the likely circulation layout for the Turtle Island site.

The southern portion of Segment 2A of the Preferred Project (Alignment 1) extends from the corner of Betty Lane and Turtle Island property south to Brace Road. Locating this segment of

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Oakland • Pleasanton • Reno • Las Vegas
www.woodrogers.com

Rick Angelocci – Comments on SPMUD Sewer Diversion Pipeline Project MND
July 15, 2015
Page 2 of 3

the Pipeline on the west side of the Turtle Bay property would require removal of a significant number of mature oak trees and it appears to be very close to an existing elderberry bush.

As shown on Exhibit A, we propose the Pipeline be located beneath the existing gravel road on Betty Lane, immediately west of the Turtle Island property. Betty Lane was included within the Project Corridor evaluated on the Biological Features and Preferred Alignment exhibit (Appendix B of the MND) and alignment of the Pipeline in Betty Lane would result in fewer oak tree removals than the Preferred Project/Alignment 1. Betty Lane could also be paved to provide manhole to manhole access. As part of the study area, parcels along Betty Lane (APNs 044-150-026, 044-150-027, 044-150-032, and 044-150-033) should be added to the listing in Section 1.8 of MND.

We also request a minor revision to Segments 1A and 1B so that the Pipeline follows the property line and existing dirt road more closely in this location. This will reduce impacts to oak trees, and would lessen impacts to the future development of this site.

Defining Alignment 2A

The discussion of Alignment 2A of the Preferred Project/Alignment (page 17 of the MND) states, *“The location of Alignment 2A will be defined through the environmental analysis of the IS/MND.”* We request that, with these comments, the Town and SPMUD define Alignment 2A consistent with Alternative X in Exhibit A attached to this letter.

Minor Additions to Project Corridor

The Biological Features and Preferred Alignment exhibit (Appendix B of the MND) identifies a Project Corridor in which the Pipeline may be located. As illustrated on Exhibit B, three areas should be added to the Project Corridor to allow flexibility in locating the Pipeline consistent with Alternative X:

Area A: Area A is a small triangular area adjacent to the eastbound I-80 on-ramp, north of Horseshoe Bar Road. Adding this area allows the future Pipeline to more closely follow the property line, and would avoid a large oak tree which would lessen the environmental impacts. It will require an additional manhole and line segment.

Area B: Area B is a long strip on the north side of the existing Project Corridor. A future roadway in this location will align opposite the on-ramp/off-ramp at Horseshoe Bar Road, and will parallel the freeway at a reasonable parcel depth to allow future development adjacent to the freeway. This addition to the Project Corridor will allow flexibility for the alignment to be located farther away from sensitive environmental features to the south, and it appears to have fewer tree impacts.

Area C: Area C is a small triangular area that would allow the Alternative X alignment to connect to the end of Betty Lane. This does not appear to cause any additional environmental impacts beyond what has already been considered.

Rick Angelocci – Comments on SPMUD Sewer Diversion Pipeline Project MND
July 15, 2015
Page 3 of 3

Area D: Area D is a small trapezoid on Betty Lane on the west side of the property line that would capture all of Betty Lane and should be included in the Project Corridor. It appears that this segment was inadvertently omitted on the graphic in the MND.

We are available to meet with Town and SPMUD staff to discuss our comments and proposed alignment alternative (Alternative X) in more detail. We are hopeful the Town and SPMUD will work with us on defining an alignment for the Pipeline that coincides with the likely circulation network of Turtle Island and reduces environmental impacts.

Sincerely,

Wood-Rodgers, Inc.



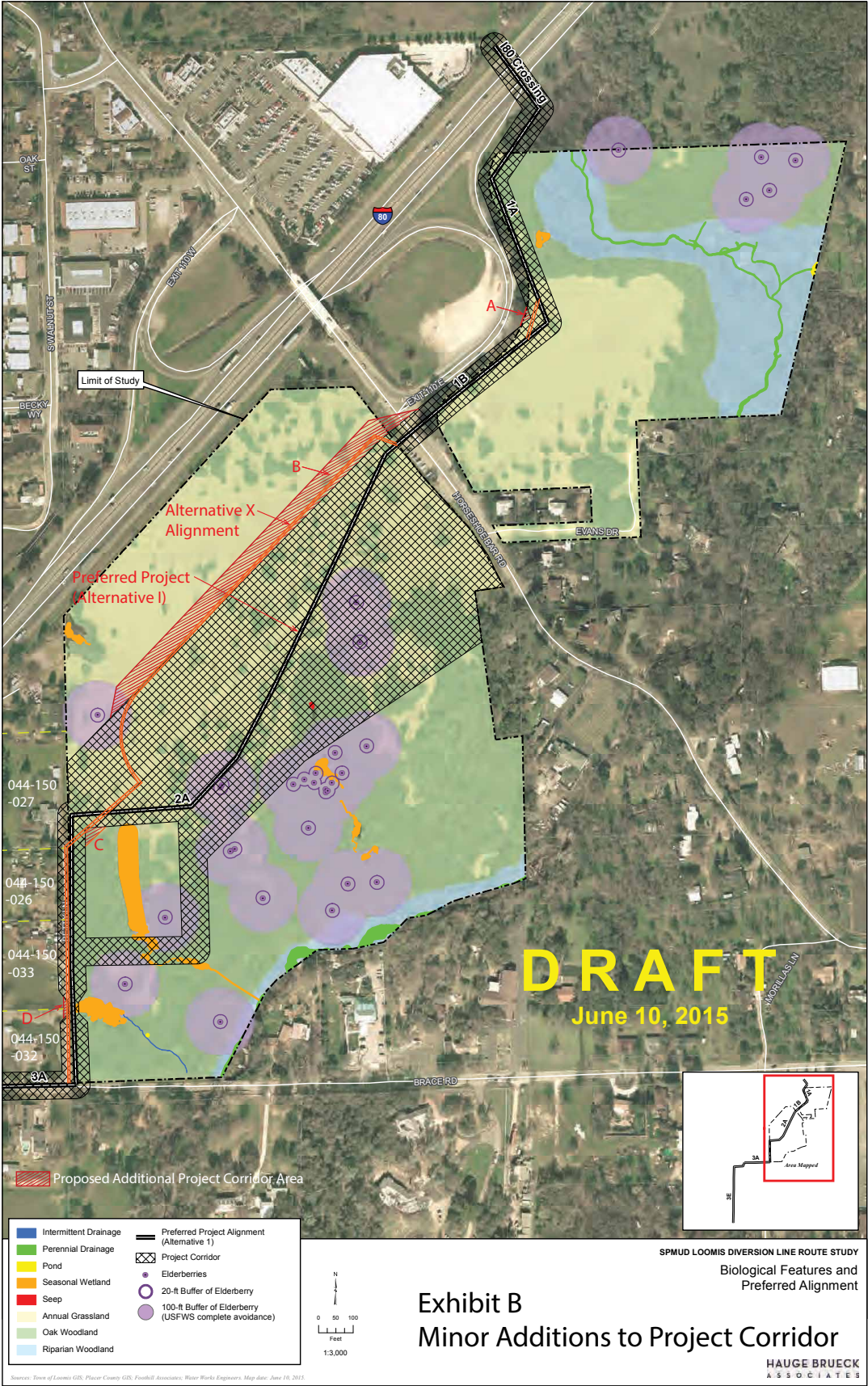
Timothy D. Denham
Director, Land Planning

Attachments:

Exhibit A: Proposed Alignment of Alternative X
Exhibit B: Minor Additions to Project Corridor

C: Steve McCullagh, Tulip Asset, LLC
Anders Hauge, Hauge Brueck Associates
Jeff Carpenter, Wood Rodgers, Inc.
Loomis Town Council





Response to Comment Letter 3

Thank you for your review of the document and associated comments.

1. As discussed in the IS/MND the proposed alignment reflects an extensive route study and preliminary alignment development for a gravity fed sewer line. Since no plans were developed for the Turtle Island property during the route studies, the alignment does not reflect subsequent potential roadway scenarios on the Turtle Island property. The modifications to Project Corridor Area in the Biological Features and Preferred Alignment map as shown in Exhibit B of your letter are included in the Final IS/MND, minus the addition of Alternative Alignment X. The Town of Loomis and SPMUD will continue to work with Tulip Asset, LLC regarding the final alignment location; however, no changes will be made to the IS/MND in regard to the preferred project location.
2. As stated above, the IS/MND will not establish Alternative X as the preferred alignment or as a specific alignment that is separately evaluated in regard to potential impacts. Although SPMUD may consider all or portions of the alignment shown in Exhibit A during final design, other factors, including engineering of the pipeline, the location of existing utilities and easements, and the location of biological resources, among others, also affect the location of the final alignment.

Although Betty Lane was originally excluded from the alignment footprint, it was included in the analysis, and the potentially affected parcels on Betty Lane have since been included in the IS/MND Project Description (See added text under Sections 1.8 and 2.1). Since Betty Lane is privately owned, SPMUD would need to enter into negotiations with property owners if the final alignment is designed to be placed within the roadway rather than adjacent to the roadway. These negotiations would include easements, utility avoidance, compensation, and post-construction roadway rehabilitation, which may include paving of the gravel road to ensure adequate access to the possible manhole location within the road. As stated in the comment, placement of the alignment within an existing roadway may reduce impacts to biological resources.

The Town of Loomis and SPMUD may consider your proposed revisions to Segments 1A and 1B during final design pending engineering constraints.

3. While your suggestion to replace Alignment 2A in the IS/MND with your proposed Alternative X in Exhibit A of this letter is appreciated, the IS/MND will not revise the location of Alignment 2A. The Town of Loomis and SPMUD will continue to work with Tulip Asset, LLC regarding the final alignment of the Project and an opportunity to negotiate the final alignment to more closely meet the likely circulation layout on the property remains beyond the IS/MND process. The IS/MND analyzed the Turtle Island property to allow placement of the alignment within a broad area as depicted in the map in Appendix B, as revised; therefore, there is still potential to negotiate the final layout.
4. The additional areas identified in the letter have been added to the figure as these areas do not contain new sensitive biological resources. Please see the revisions in Appendix D, which closely reflect your additions as depicted in Exhibit B, with the exception of the Alternative X alignment.

Letter 4 – Betty Nakashoji Rivera, Resident on Betty Lane, July 17, 2015**From:** Bfrivera@aol.com**Sent:** Friday, July 17, 2015 9:23 AM**To:** Rick Angelocci**Subject:** A MITIGATED NEGATIVE DECLARATION AND PUBLIC HERING FOR SPMUD DIVERSION PIPELINE

First, I would like to say that I received the notice the day after the hearing. The postmark on the postcard was July 13 and I received the notice on July 15; and of course, the meeting was on held on July 14.

I am not quite sure what this is all about. But if it is wanting to put a pipeline down Betty Lane, my only concern is that considerable amount of money was recently spent to put treated water to 3946 Betty Lane. This pipeline is currently on the east side of Betty Lane and crosses to the left to the home. I would hope that if this proposed pipeline interferes with my water line that the appropriate steps are taken to protect my pipeline at no additional cost to me.

I understand no decision had been made at the meeting of the 14th and that another meeting is scheduled. I would like to be notified at least seven (7) days prior to the scheduled date of the meeting so that I can make the arrangements to attend.

Betty Nakashoji Rivera
(916)543-2877

Response to Comment Letter 4

It is unfortunate that you did not receive notice of the meeting in a timely manner; however, we appreciate your concerns and comments. The final alignment has not been established and the pipeline may or may not be located within Betty Lane, pending final design and engineering and negotiations with affected property owners, including you. Thank you for the information regarding your water pipeline within the roadway. SPMUD will be working closely with each of the utility providers and private landowners to determine the location of existing utilities and property improvements (See 2.6 Regulatory Compliance Measure 2.6.5). If existing utilities and improvements are affected by the alignment, SPMUD would provide appropriate notification, negotiation, and repair, if necessary. Although this is not a comment on the content of the IS/MND your input is appreciated and is helpful to the final project design. You are included on the project mailing list and will continue to be informed as the project progresses.

Letter 5 – Kim Fettke, Resident, July 20, 2015

From: Kimi Fettke [mailto:kimi@fettke.com]
Sent: Monday, July 20, 2015 4:51 PM
To: townhall@loomis.ca.gov; Rick Angelocci
Subject: RE: SPMUD Diversion Pipeline

Hello,

I apologize for not getting these CEQA comments to you sooner. While I'm happy to see that the MND at least addresses potential impacts to bats, following are some suggestions for improvements.

1. Oddly, while the biological resources report and MND include discussion of other special status bats, the table in the report and MND only list pallid bat and Townsend's big-eared bat (a State Candidate species). The table should include the other special status bats- see below.
2. Because CDFW's list of SSC bats is not current, analysis should also include the ranking status of bat species according to the Western Bat Working Group and USFS. These and other ranking statuses can be viewed below and via on CDFW's Special Animals List via <https://www.dfg.ca.gov/biogeodata/cnddb/pdfs/spanimals.pdf>.
3. Most importantly, the analysis does not describe potential significant impacts that could occur if tree removal were to occur during the maternity season, causing the loss of non-volant FOLIAGE bats, such as red bat and hoary bat. Likewise, if potentially suitable roost trees were removed during the hibernation season, significant impacts could be caused to non-volant hibernating bat species (e.g., Townsend's big-eared bat). Preconstruction surveys for foliage species would take an inordinate amount of time (e.g., weeks), so a better and more efficient mitigation approach would be to remove potential roosting trees outside of the pupping season, generally mid-May through mid-August depending on the weather. Likewise, trees could be removed outside of the hibernating season, generally December to February depending on the weather.
4. The analysis indicates that undefined mitigation (i.e., "deferred mitigation"- suggest providing an example of what this mitigation might include) would only be implemented if a maternity colony of special-status bat species were found. However, because many bat species roost together in large colonies, especially during maternity and hibernation seasons, per the mandatory findings of significance a potential impact could occur if a significant colony of ANY bat species were found and removed. Such an impact could significantly affect the regional population of such a species.

Thank you for considering my suggestions. Please feel free to contact me with any questions.

Kim Fettke
 Loomis resident (and biologist)

Ranking definitions:

U. S. Forest Service - Sensitive USFS_S
 Calif Dept of Fish & Wildlife - Species of Special Concern CDFW_SSC
 Western Bat Working Group - High Priority WBWG_H
 Western Bat Working Group - Medium-High Priority WBWG_MH
 Western Bat Working Group - Medium Priority WBWG_M
 Western Bat Working Group - Low-Medium Priority WBWG_LM

Myuu- Yuma myotis (Myotis yumanensis) WBWG:LM

Epfu- big brown bat (*Eptesicus fuscus*)
 Pahe- canyon bat (*Parastrellus hesperus*)
 Tabr- Mexican free-tailed (*Tadarida brasiliensis*)
 Lano- silver-haired bat (*Lasionycteris noctivagans*) WBWG:M
 Anpa – pallid bat (*Antrozous pallidus*) CDFW:SSC, WBWG:H, USFS:S
 Laci- hoary bat (*Lasiurus cinereus*) WBWG:M
 Labl- western red bat (*Lasiurus blossevillii*) CDFW:SSC, WBWG:H
 Myca- CA myotis (*Myotis californicus*)
 Myev- long-eared myotis (*Myotis evotis*) WBWG:M
 Mylu- little brown bat (*Myotis lucifugus*)
 Myme- dark-nosed small-footed myotis (*Myotis melanorhinus*)
 Myvo- long-legged myotis (*Myotis volans*) WBWG:H
 Myth- fringed myotis (*Myotis thysanodes*) USFS:S, WBWG:H
 Euma- spotted bat (*Euderma maculatum*) CDFW:SSC, WBWG:H
 Coto- Townsend's (*Corynorhinus townsendii*) CDFW:SSC, USFS:S, WBWG:H
 Eupe- western mastiff bat (*Eumops perotis*) CDFW:SSC, WBWG:H

U.S. Forest Service Sensitive: USDA Forest Service defines sensitive species as plant and animal species identified by a regional forester that are not listed or proposed for listing under the Federal Endangered Species Act for which population viability is a concern, as evidenced by significant current or predicted downward trends in population numbers or density, or significant current or predicted downward trends in habitat capability that would reduce a species' existing distribution. Regional Foresters shall identify sensitive species occurring within the region. California is the Pacific Southwest Region (Region 5). More information is available at: <http://www.fs.usda.gov/main/r5/plants-animals> and at: http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5435266.xlsx

Western Bat Working Group (WBWG): The WBWG is comprised of agencies, organizations and individuals interested in bat research, management and conservation from the 13 western states and provinces. The goals are (1) to facilitate communication among interested parties and reduce risks of species decline or extinction; (2) to provide a mechanism by which current information on bat ecology, distribution and research techniques can be readily accessed; and (3) to develop a forum to discuss conservation strategies, provide technical assistance and encourage education programs. Species are ranked as High, Medium, or Low Priority in each of 10 regions in western North America. Because California includes multiple regions where a species may have different WBWG Priority ranks, the CNDDDB includes categories for Medium- High, and Low-Medium Priority. The CNDDDB tracks bat species that are at least Low-Medium Priority in California. More information is available at: <http://www.wbwg.org>.

Response to Comment Letter 5

The listed species were added to the analysis as having the potential to be present in the project area. Table 4 reflects species on the California Department of Fish and Game Natural Diversity Database (CNDDDB 2015) and the U.S. Fish and Wildlife Service listing for special-status species occurrences within the Rocklin 7.5 min Quad map and eight (8) surrounding 7.5 min Quads; however, the species listed in your letter were added to the text of Impact IV.a, including their ranking status. Additionally, Mitigation Measure BIO-6 was modified to include the requirement of the identification of potential roost trees within the project area and require their removal outside of the pupping and hibernating seasons.

Town Council Meeting Oral Comments - July 14, 2015

The Project was presented to the Town Council and the public for comment during the public meeting. Walt Sherer, Pat Brechtal, and Councilmember Ucovich each provided one oral comment on the Project.

Comment 1 - Walt Sherer: Suggested that property owners on Betty Lane (Bartnel, Williams, and Nakashoji Rivera) may want the alignment to be placed in the roadway and that should be considered by the Project.

Response: The IS/MND includes revisions to the project area to include Betty Lane as a potential alignment area pending negotiations with potentially affected property owners on Betty Lane.

Comment 2 - Pat Brechtal: Asked if the sewer line will affect property owners on Brace Road and if they can tie into the sewer during construction.

Response: The new sewer diversion line will not be accessible until the entire construction process is complete; however construction would not affect existing sewer operations and existing service would not be disrupted. SPMUD coordinates with property owners along the alignment to inform them of construction schedules, potential traffic delays, and other construction-related issues and enters into negotiations with property owners prior to construction should land acquisition or other similar action is necessary based on the location of the final alignment.

Comment 3 - Councilmember Ucovich: Stated he didn't see any trees addressed in the IS/MND.

Response: Anders Hauge, Planning Consultant, responded that tree removal is addressed in the IS/MND and that tree removal activities and mitigation will follow the Town's tree ordinance.

Appendix F

Mitigation Monitoring and Reporting Plan

CEQA Guidelines Section 15097 requires the adoption of a program by a public agency for monitoring or reporting on the project revisions or measures it has imposed to mitigate or avoid significant impacts of a project. The plan implementation and impact mitigation measures that are incorporated into the Project are contained in the SPMUD Diversion Pipeline Project Initial Study. Detailed descriptions of each measure are included below.

The following mitigation measures are those measures that are required for construction and operation of the SPMUD Diversion Pipeline. Each of the mitigation measures includes a description of the measure that is required to be completed, the impacts that are mitigated, and the lead, implementing, and the monitoring agency. Also included is the timing associated with the implementation of the mitigation measure.

BIO-1. Active Raptor and Migratory Bird Nest Site and Wildlife Nursery Site Protection Program

Description

SPMUD shall protect existing active bird nests to be impacted by Project construction activities. SPMUD shall develop an Active Raptor and Migratory Bird Site Protection Program (Program) to meet these needs. The Program shall include surveys, consultation, and protective actions. Pre-construction surveys, conducted during the nesting/breeding season (February 1-August 31) no longer than seven (7) days prior to initial Project construction (e.g., excavation, grading and tree removal), shall be conducted to identify any active raptor or migratory bird nest sites and wildlife nursery sites within the project area that may not have occurred previously. During initial construction activities (tree removal and excavation for the construction), a qualified biological monitor shall be present to evaluate whether any raptors or migratory birds are occupying trees within the project area.

If active raptor nests are found on or within 500 feet of the project impact area, construction activities should not occur within 500 feet of the nests, or up to 1/4-mile of the nest if it is an active Swainson's hawk nest, until the young have fledged or until the biologist has determined that the nest is no longer active. The biological monitor shall have the authority to stop construction near occupied trees or nursery sites if it appears to be having a negative impact on nursery sites, nesting raptors, migratory birds or their young observed within the construction zone. If construction must be stopped, the monitor shall consult with CDFW or USFWS (if applicable) staff within 24 hours to determine appropriate actions to restart construction while reducing impacts to identified nursery sites, raptors or migratory bird nests.

Impacts Mitigated

Interference with native or migratory wildlife species nursery sites.

Mitigation Level

Protection of wildlife nest sites and habitats.

Lead Agency

Town of Loomis

Implementing Agency

SPMUD

Monitoring Agency California Department of Fish and Wildlife
U.S. Fish and Wildlife Service

Timing

Start: Prior to construction activities

Complete: Following initial construction activities

BIO-2. Western Burrowing Owl

Description

Confirmation – A qualified biologist shall perform a burrowing owl survey of the project impact area no more than 30 days prior to the commencement of construction. Burrowing owls can be present during all times of the year in California, so this survey is required regardless of the time construction activities occur.

Absence of Special-Status Plants - If no burrowing owl are encountered on the Project site after the survey, no further mitigation is required. A survey results report shall be submitted to CDFW prior to initiation of construction.

Presence of Burrowing Owl - If active owl burrows are located during the pre-construction survey, it is recommended that a 250-foot buffer zone be established around each burrow with an active nest until the young have fledged and are able to exit the burrow. If occupied burrows are found with no nesting occurring, if active burrows are found after the young have fledged, or if development commences after the breeding season (typically February-August), passive relocation of the birds shall be performed. Passive relocation involves installing a one-way door at the burrow entrance, which encourages the owls to move from the occupied burrow. CDFW shall be consulted for current guidelines and methods for passive relocation of any owls found on the site. If burrowing owls are determined to be occupying the site, mitigation for project impacts that result in relocation of burrowing owls and loss of burrows and/or foraging habitat will be required. CDFW recommends 6.5 acres of foraging habitat be preserved for each active burrow that would be impacted by project activities. The City of Loomis, in coordination with CDFW, would be responsible for prescribing appropriate mitigation for any project-related impacts to burrowing owls. These mitigation measures would only apply in the event that burrowing owls were encountered during the pre-construction survey.

Impacts Mitigated Potential incidental take of western burrowing owl.

Mitigation Level Protection of western burrowing owl.

Lead Agency Town of Loomis

Implementing Agency SPMUD

Monitoring Agency California Department of Fish and Wildlife

Timing

Start: No longer than 30 days prior to construction activities

Complete: Prior to construction activities

BIO-3. Valley Elderberry Longhorn Beetle

Description

While processing a CWA Section 404 permit for project-related impacts to federally jurisdictional wetlands (refer to Section IV.c, Substantial Adverse Effect on Wetlands), USACE will consult with the USFWS regarding potential effects to federally listed species pursuant to Section 7 of the Federal Endangered Species Act. This consultation may result in the issuance of a Biological Opinion by USFWS to authorize incidental take of valley elderberry longhorn beetle (VELB). The Biological Opinion will contain required impact minimization and mitigation measures that must be implemented to protect and/or mitigation habitat for VELB prior to project initiation.

Complete avoidance (i.e., no adverse effects) may be assumed when a 100-foot (or wider) buffer is established and maintained around elderberry plants containing stems measuring 1.0 inch or greater in diameter at ground level. The proposed Project will avoid direct impacts (removal) to all of the 18 elderberry shrubs within the Project corridor; however, conducting construction related activities within a 100-foot protective buffer zone is still considered to be a potentially significant impact according to the *Conservation Guidelines for the Valley Elderberry Longhorn Beetle* (Conservation Guidelines), issued by the USFWS on July 9, 1999. USFWS must be consulted before any disturbance occurs within the 100-foot buffer area. In addition, USFWS must be provided with a map identifying the avoidance area and written details describing avoidance measures.

The following mitigation measures, in addition to any additional compensatory and/or protective measures specified in the USFWS Biological Opinion, will be implemented:

1. In accordance with the Conservation Guidelines (1999), updated surveys will be conducted by a qualified biologist within 100 feet of the Project site for the presence of the VELB and suitable elderberry host plants that have one or more stems measuring 1.0 inch or greater in diameter at ground level.
2. Elderberry shrubs that are not within the Preferred Project Alignment. A minimum of a 20-foot buffer from the dripline of each retained shrub shall be established to ensure that beetles that may be utilizing the shrubs are not adversely affected. All buffers shall be marked with brightly colored flags or fencing and shall be maintained until project construction is complete.
3. At the discretion of the USFWS, if any elderberry shrubs are removed as a result of project construction, they will either be transplanted to another suitable location onsite or to a USFWS-approved valley elderberry longhorn beetle conservation bank in accordance with procedures outline in the Conservation Guidelines (1999). The restored elderberry beetle habitat will be monitored and maintained in accordance with the Conservation Guidelines (1999).

Impacts Mitigated

Potential loss of habitat and incidental take of valley longhorn beetle.

Mitigation Level

Protection of valley longhorn beetle and their habitat.

Lead Agency

Town of Loomis

<u>Implementing Agency</u>	<u>SPMUD</u>
<u>Monitoring Agency</u>	<u>U.S. Fish and Wildlife Service</u>
<u>Timing</u>	
<u>Start:</u>	<u>Prior to construction activities</u>
<u>Complete:</u>	<u>Following initial construction activities</u>

BIO-4. Special Status Plant Species

Description

Confirmation – To confirm the presence or absence of rare plants on the project site, a qualified biologist shall conduct a focused survey according to CDFW guidelines, for these species prior to the onset of construction activities. The surveys shall be conducted at the proper time of year when the plants are both evident and identifiable (approximately June). A qualified biologist is an individual who possesses the following qualifications: 1) experience conducting floristic field surveys; 2) knowledge of plant taxonomy and plant community ecology; 3) familiarity with the plants of the area, including rare, threatened, and endangered species; 4) familiarity with the appropriate state and federal statutes related to plants and plant collecting; and 5) experience with analyzing impacts of development on native plant species communities.

Absence of Special-Status Plants - If none of the special-status plants are found on the site, no further mitigation is required. A survey results report shall be submitted to CDFW prior to initiation of construction.

Presence of Special-Status Plants - If any special-status plant species are located, the survey will determine the number of individuals present and the limits of the area occupied by the population, and one of the following additional mitigation measures will be implemented:

- a. avoidance and permanent protection of the on-site population;
- b. permanent preservation of an existing, off-site population of the species in the region at a 2:1 acreage ratio and a similar population size (1:1 ratio); or
- c. transplant the individuals to permanently preserved habitat off-site at a 2:1 acreage ratio (preferably adjacent to the site or in close proximity).

Each additional mitigation option above (a – c) shall include the preparation of a Preservation Plan (under a or b) or a Mitigation Plan (under c) by a qualified biologist/botanist, to be submitted to and approved by the City, as well as CDFW and/or USFWS. The Plan shall include the location and extent of the preserved or transplanted individuals, measures to ensure protection of the population during and following project implementation (in perpetuity), including a mechanism to ensure permanent preservation of the population from development such as a conservation easement or agreement with the landholder (such as the City). The Plan shall also include methods to transplant the individuals (if applicable), measures to maintain the population (i.e. weed control), and methods to monitor the population for a minimum of five years following preservation or transplantation, including performance criteria and contingency measures in case of failure to meet performance criteria.

Impacts Mitigated

Potential loss of unique, rare or endangered plant species.

<u>Mitigation Level</u>	<u>Protection of special status plant species.</u>
<u>Lead Agency</u>	<u>Town of Loomis</u>
<u>Implementing Agency</u>	<u>SPMUD</u>
<u>Monitoring Agency</u>	<u>California Department of Fish and Wildlife</u> <u>U.S. Fish and Wildlife Service</u>
<u>Timing</u>	
<u>Start:</u>	<u>Prior to construction activities</u>
<u>Complete:</u>	<u>Following initial construction activities</u>

BIO-5. Section 404/401 Wetlands and Waters

Description Any alterations of, or discharges into, waters of the United States, including Section 404 wetlands must be in conformance with the Sections 404 and 401 of the CWA via certification and permitting prior to any grading or construction that may impact jurisdictional area(s), as applicable. If avoidance of federally protected wetlands is not feasible, securing 404 and 401 permits under the Clean Water Act and compliance with the federal and state “no net loss of wetlands” policy will be required in accordance with USACE and Regional Water Quality Control Board (RWQCB) regulations. Prior to initiation of ground disturbance activities, the applicant shall consult with the USACE to identify potential impacts to the wetland features identified in the verified jurisdictional delineation. If the USACE determines that jurisdictional waters will be impacted by the project, the appropriate Clean Water Act (CWA) Section 404 permit shall be acquired by the applicant for the construction of the proposed project. In addition, RWQCB certification is required pursuant to Section 401 of the CWA to obtain a 404 permit.

Preparation of a wetlands mitigation plan would be required to be submitted with the agency permit applications, including an agreed-upon replacement ratio of wetlands with the USACE and RWQCB. The mitigation plan shall address protection of wetland features retained onsite, quantify the total jurisdictional acreage lost, describe creation/replacement ratio for acres filled, annual success criteria, potential mitigation-sites, monitoring and maintenance requirements, and contingency measures if the success criteria are not met. The amount of compensatory wetland acreage shall be based on the functions and values of impacted wetlands, but will include a minimum of a 1:1 ration of created to filled wetlands. The plan shall be prepared by a qualified biologist pursuant to, and through consultation with, the USACE and RWQCB. The mitigation plan may include funding mechanisms for future maintenance of the wetland and riparian habitat, which may include an endowment or other funding from the project applicant. Impact minimization measures associated with permits may include implementation of best management practices (i.e., erosion and sediment control measures) and seasonal work restrictions, as appropriate. Impacts to jurisdictional features shall not occur until the permits are received from the appropriate regulatory agencies, or correspondence is received from the agencies indicating that a permit is not required.

As an alternative to wetland creation, equivalent mitigation credits may be purchased at a mitigation bank to offset impacts to federally jurisdictional

riverine seasonal wetlands. A mitigation plan would need to be prepared that provides detailed information about the bank and how the purchase of credits will result in no net loss of wetlands. Purchase of mitigation credits shall be subject to approval and verification by USACE, RWQCB, and the Town prior to the initiation of ground disturbing activities.

<u>Impacts Mitigated</u>	<u>Potential adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means.</u>
<u>Mitigation Level</u>	<u>Protection of delineated wetland areas and waters of the U.S.</u>
<u>Lead Agency</u>	<u>Town of Loomis</u>
<u>Implementing Agency</u>	<u>SPMUD</u>
<u>Monitoring Agency</u>	<u>U.S. Army Corps of Engineers State Water Quality Control Board Central Valley Region</u>
<u>Timing</u>	
<u>Start:</u>	<u>Following adoption and approval of the Project</u>
<u>Complete:</u>	<u>Construction completion</u>

BIO-6. Wildlife Hibernacula/Roosting/Nursery Site Protection Program

Description Confirmation - SPMUD shall conduct a thorough pre-construction survey (performed by a qualified biologist) of project area for wildlife nursery sites and special status bat roost sites. The survey shall be performed by a professional biologist with experience locating nursery and bat roost sites and shall be performed prior to initial ground disturbance and tree removal. The survey area shall include the location of ground disturbance and tree removal as well as areas within 50 meters of ground disturbing activities, as well as any area where staging will occur or access will be provided for construction equipment. In order to limit the pre-construction survey time required to detect foliage bat species, potential roost trees shall be identified by the contracted biologist and subsequently removed outside the pupping season (May through August) and outside the hibernating season (December through February) prior to commencement of construction activities. The contracted biologist shall report the findings of the survey to the City of Loomis and CDFW.

Absence of special status bat roosts or nursery sites - If no special status bat roosts or nursery sites are located within the project area or in adjacent areas where impacts will occur, no further mitigation is required.

Presence of special status bat roosts or nursery - If special status bat roosts or nursery sites are located, CDFW shall be consulted to determine courses of action and determine appropriate actions and to reduce potential impacts. Adoption of mitigation measures for roosting bat species would be considered only if special-status bat species are found to be roosting within the project impact area.

Impacts Mitigated Interference with native or migratory wildlife species nursery sites.

<u>Mitigation Level</u>	<u>Protection of wildlife nest sites and habitat.</u>
<u>Lead Agency</u>	<u>Town of Loomis</u>
<u>Implementing Agency</u>	<u>SPMUD</u>
<u>Monitoring Agency</u>	<u>California Department of Fish and Wildlife</u>
<u>Timing</u>	
<u>Start:</u>	<u>Prior to construction activities</u>
<u>Complete:</u>	<u>Following initial construction activities</u>

BIO-7. Preservation and Mitigation of Protected Trees

<u>Description</u>	<p>Consistent with the Town of Loomis ordinance, the project has been designed to incorporate avoidance measures into the project design to maximize the preservation of protected trees. Since tree removal will occur as part of sewer line installation, upon completion of a final site design, SPMUD shall apply for a tree removal permit from the Town. For trees protected and retained within the project area, a Trenching-Pathway Plan must be prepared that includes an accurate plotting of the CRZ of all protected trees within the Project corridor and/or 50 ft of soil disturbance activities. A Tree Protection Plan must be prepared by a certified arborist that identifies which trees are proposed for removal and preservation and includes a program that will be implemented during and construction to insure survival of protected trees. All of the tree preservation measures required by the conditions of a discretionary project approval (the Tree Protection Plan and tree removal permit, as applicable) shall be completed and certified by Town staff or the approved arborist.</p> <p>When the Town has granted a tree permit to remove a protected tree, the permit shall require the applicant to replace the tree with a living tree (or trees) of the same species, preferably on the property. The tree replacement requirement shall be calculated as provided by Tree Mitigation Table 5-3 of Town of Loomis Ordinance No. 252, Section 13.54.090 (Removal of Trees, Mitigation and Replacement) and the City of Rocklin Oak Tree Preservation Guidelines. The applicant will be required per the ordinances to replace the tree(s) and continue to replant the replacement tree(s) if the tree(s) die(s) any time within five (5) years of the initial planting. Mitigation and monitoring plan will be prepared for the replacement of protected trees in accordance with the Town of Loomis and City of Rocklin tree removal permit conditions. Annual monitoring and written report preparation by a certified arborist will be required to ensure survival of the trees.</p>
<u>Impacts Mitigated</u>	<u>Loss of protected trees and inconsistency with the local tree ordinance.</u>
<u>Mitigation Level</u>	<u>Protection of protected trees.</u>
<u>Lead Agency</u>	<u>Town of Loomis</u>
<u>Implementing Agency</u>	<u>SPMUD</u>
<u>Monitoring Agency</u>	<u>Town of Loomis and City of Rocklin</u>
<u>Timing</u>	

Start: Prior to construction activities

Complete: Five years from the initial tree replacement date

CR-1. Pre-construction Native American Consultation

<u>Description</u>	<u>Before any construction takes place the South Placer Municipal Utility District should initiate consultation with the three Native American groups that have expressed a concern with the project. Ideally, one group could be identified as most likely descendants and further consultation would continue with that group to insure that Native American concerns are mitigated.</u>
<u>Impacts Mitigated</u>	<u>Potential disturbance to cultural resource deposits.</u>
<u>Mitigation Level</u>	<u>Protection of cultural resource deposits.</u>
<u>Lead Agency</u>	<u>Town of Loomis</u>
<u>Implementing Agency</u>	<u>SPMUD</u>
<u>Monitoring Agency</u>	<u>Town of Loomis</u>
<u>Timing</u>	
<u>Start:</u>	<u>Prior to construction activities</u>
<u>Complete:</u>	<u>Prior to construction activities</u>

CR-2. Staging Area, Storage, and Spoil Disposal Site Review

<u>Description</u>	<u>When construction plans are complete, areas identified for staging area, equipment storage, spoils disposal and any other off-site impacts should be examined by a qualified archeologist/historian to identify any cultural resources that might be present.</u>
<u>Impacts Mitigated</u>	<u>Potential disturbance to cultural resource deposits.</u>
<u>Mitigation Level</u>	<u>Protection of cultural resource deposits.</u>
<u>Lead Agency</u>	<u>Town of Loomis</u>
<u>Implementing Agency</u>	<u>SPMUD</u>
<u>Monitoring Agency</u>	<u>Town of Loomis</u>
<u>Timing</u>	
<u>Start:</u>	<u>Prior to construction activities</u>
<u>Complete:</u>	<u>Prior to construction activities</u>

CR-3. Trench Monitoring

Description	<p><u>Trenching along Brace Road and Dias Lane should be monitored by a qualified archeologist/historian. These areas have not been surveyed and there is the potential for subsurface resources. The monitor should have the authority to halt trenching, if necessary, in order to evaluate any finds. Trenching could continue in other areas. Further actions would depend on whether or not the resource appears significant.</u></p> <p><u>Should artifacts, exotic rock (particularly obsidian), or concentrations of bone or shell be uncovered during any construction activities, an archeologist should be consulted for on-the-spot evaluation. If the bone appears to be human, the Placer County Coroner must be contacted. If the coroner determines that the bone is most likely Native American in origin, he will contact the Native American Heritage Commission to identify most likely descendants for consultation regarding further treatment of the remains, if this has not already been accomplished.</u></p>
Impacts Mitigated	<u>Potential disturbance to cultural resource deposits.</u>
Mitigation Level	<u>Protection of cultural resource deposits.</u>
Lead Agency	<u>Town of Loomis</u>
Implementing Agency	<u>SPMUD</u>
Monitoring Agency	<u>Town of Loomis</u> <u>Placer County Coroner and Native American Heritage Commission</u>
Timing	<p>Start: <u>Prior to construction activities</u></p> <p>Complete: <u>Prior to construction activities</u></p>

NOISE-1. Preconstruction Structural Documentation and Post-construction Inspection

Description	<u>Where homes or structures are located within 25 feet of the construction corridor, South Placer Municipal Utility District shall conduct visual pre- and post-construction home inspections, with photographic and/or videographic records, and will compensate those homeowners if any damage is caused as a result of project construction.</u>
Impacts Mitigated	<u>Structural damage from construction</u>
Mitigation Level	<u>Protection of structures and compensation for damages, if any.</u>
Lead Agency	<u>Town of Loomis</u>
Implementing Agency	<u>SPMUD</u>
Monitoring Agency	<u>Town of Loomis</u>
Timing	

Start: Prior to construction activities

Complete: Following construction completion within the affected area